



North Coast Railroad Authority
419 Talmage Road, Suite M
Ukiah, CA 95482
707-463-3280

November 22, 2017

Larry Goldzband, Executive Director
San Francisco Bay Conservation
and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, California 94102-7019

Dear Mr. Goldzband:

Per the request for an extension submitted on October 9, 2017 via email I, Mitch Stogner, representing North Coast Railroad Authority ("Respondent") in the matter pursuant to the Violation Report/Complaint for the Administrative Imposition of Civil Penalties ("complaint"), which was served via certified mail to the respondent on September 5, 2017, hereby submit this Statement of Defense.

Respondent has developed an implementation plan for removing gravel and any other unnatural material from the slough to the extent necessary to remediate the damages wrought on the Beattie Marsh and the slough that feeds it as a result of NWP Company's placement of such material in or adjacent to the slough for road repair purposes, which material was subsequently deposited in the slough as a result of high water flows in the slough. The plan was developed after performing an investigation of the slough that involved a wetlands specialist, evaluation of erosion impacts and aerial mapping to determine potential areas of impacts of the proposed remediation.

Attached is the proposed remediation plan for your review. Please contact Dave Anderson, PE at (714) 943-4068 or danderson@are-corp.com if you have any technical questions regarding this submittal.

Sincerely,


Mitch Stogner, Executive Director

Copy: Doug Bosco, NWP Company

Dave Anderson, PE, NCRA Contract Engineer

Remediation Plan for Material Removal at Slough in ROW near Black Point Bridge, Novato, CA

The following plan addresses obtaining permits, and performing the work for the removal of approximately 10 to 15 cubic yards of material from an unnamed tidal slough that drains to the Petaluma River in Novato, California.

Because the work plan will involve excavation of this material at low tide, the following permits are anticipated:

1. San Francisco Bay Conservation and Development Commission Administrative Permit
2. San Francisco Bay Regional Water Quality Control Board Waste Discharge Requirement (WDR)

This work will occur in areas potentially supporting federally-listed endangered species including the Ridgway's rail and salt marsh harvest mouse and potentially special-status fish, it is proposed to complete this work only during low tide between September 1st and November 1st in 2018.

The physical removal plan will consist of manually shoveling material into a backhoe positioned on Harbor Drive with its bucket extended to the deposited material area. The manual access will be completed by laying a plywood walkway to the excavation area. It is anticipated that the work will take two days to complete during a low tide periods. During the removal period an environmental monitor will be present.

The material removal will excavate down to the natural flow line elevation to mitigate any ponding issues. The excavated material will be hauled from the site to an approved site to be determined.

The area of anticipated removal is shown on the Attachment 1 Aerial Map. The aerial mapping was flown at low tide on October 12, 2017.

Attachment 2 is the Survey of the Aerial Targets for the mapping.

Attachment 1 – Aerial Mapping



Aerial Map 10-12-17 – Area inside red oval denotes removal area.

NCRA

Survey Date 10/12/2017 10:00 am to 11:30 am

By Dave Anderson, P.E.

Hunters Cub Road/Operator House Driveway

Location	Description	Rod Reading	Target Elevation	TP Elevation	Level Elevation	BM Elevation	Latitude Google	Longitude Google
BM 1	NAVD 88 ¹ bridge west landing pier	10.1			18.92	8.82		
Target 1	West end of bridge	4.21	14.71				38.111324°	-122.502921°
Target 2	Drive RR Crossing	3.22	15.7				38.110350°	-122.504189°
TP	Top east corner signal pull box	7.71		11.21				
TP	Top east corner signal pull box	2.38			13.59			
Target 3	Drive west of north headwall rail	6.27	7.32				38.110845°	-122.503332°
Target 4	Drive at west end near trees	6.31	7.28				38.110222°	-122.503997°
Target 5	Ground at headwall south	4.43	9.16				38.109877°	-122.503103°
Target 6	Near Grandview		TBT				38.109086°	-122.505523°
BM 2	Top of hydrant at begin Drive	3.74				9.85	38.110781°	-122.503297°

¹USCGS Bench Mark; Black Point West Landing Pier

NCRA



2017 Google Earth View

NCRA

USCGS Bench Mark Data:

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PROGRAM = datasheet95, VERSION = 8.9
1      National Geodetic Survey,   Retrieval Date = AUGUST 22, 2016
JT0907 *****
JT0907 TIDAL BM      -   This is a Tidal Bench Mark.
JT0907 DESIGNATION -   941 5252 TIDAL 8
JT0907 PID          -   JT0907
JT0907 STATE/COUNTY-   CA/MARIN
JT0907 COUNTRY      -   US
JT0907 USGS QUAD     -   NOVATO (1980)
JT0907
JT0907                      *CURRENT SURVEY CONTROL
JT0907
JT0907* NAD 83(1986) POSITION- 38 06 42.96      (N) 122 30 07.86      (W)  HD_HELD1
JT0907* NAVD 88 ORTHO HEIGHT -      2.690 (meters)      8.83      (feet) ADJUSTED
JT0907
JT0907 GEOID HEIGHT      -      -31.986 (meters)      GEOID12B
JT0907 DYNAMIC HEIGHT    -      2.689 (meters)      8.82      (feet) COMP
JT0907 MODELED GRAVITY    -      980,002.7 (mgal)      NAVD 88
JT0907
JT0907 VERT ORDER        -   FIRST      CLASS II
JT0907
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